

DT05 R PCT/PTO 27 AUG 2002 #6

PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 40.00

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/089,928       |
| Filing Date          | April 4, 2002    |
| First Named Inventor | Edward Burton    |
| Examiner Name        | Not Yet Assigned |
| Group Art Unit       | N/A              |
| Attorney Docket No.  | HO-P02428US0     |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

06-2375

Deposit Account Name

Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 101      | 740      | 201      | 370      | Utility filing fee     |          |
| 106      | 330      | 206      | 165      | Design filing fee      |          |
| 107      | 510      | 207      | 255      | Plant filing fee       |          |
| 108      | 740      | 208      | 370      | Reissue filing fee     |          |
| 114      | 160      | 214      | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | ** =         | x              | =        |
| Multiple Dependent | ** =         | x              | =        |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 103      | 18       | 203      | 9        | Claims in excess of 20                                     |
| 102      | 84       | 202      | 42       | Independent claims in excess of 3                          |
| 104      | 280      | 204      | 140      | Multiple dependent claim, if not paid                      |
| 109      | 84       | 209      | 42       | ** Reissue independent claims over original patent         |
| 110      | 18       | 210      | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 105      | 130      | 205      | 65       | Surcharge - late filing fee or oath  |          |
| 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139      | 130      | 139      | 130      | Non-English specification  |          |
| 147      | 2,520    | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112      | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116      | 400      | 216      | 200      | Extension for reply within second month                                    |          |
| 117      | 920      | 217      | 460      | Extension for reply within third month                                     |          |
| 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128      | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |          |
| 119      | 320      | 219      | 160      | Notice of Appeal   |          |
| 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121      | 280      | 221      | 140      | Request for oral hearing   |          |
| 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
| 142      | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |          |
| 143      | 460      | 243      | 230      | Design issue fee   |          |
| 144      | 620      | 244      | 310      | Plant issue fee  |          |
| 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123      | 50       | 123      | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40       | 581      | 40       | Recording each patent assignment per property (times number of properties) | 40.00    |
| 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149      | 740      | 249      | 370      | For each additional invention to be examined (37CFR 1.129(b))              |          |
| 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40.00

## SUBMITTED BY

Name (Print/Type) Melissa W. Acosta

Registration No. (Attorney/Agent)

45,872

## Complete (if applicable)

Telephone (713) 651-5407

Signature

Date

August 27, 2002

## Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU110398085US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: August 27, 2002

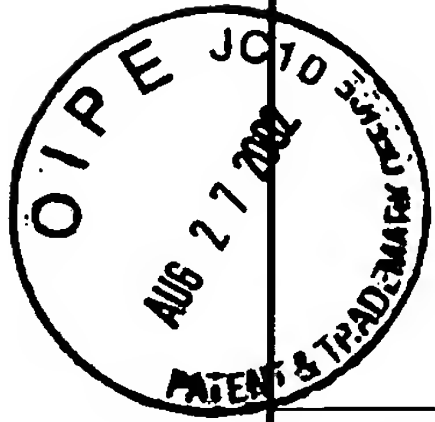
Signature: Staci Harris (Staci Harris)

Please type a plus sign inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                             |                               |              |
|---|-----------------------------|-------------------------------|--------------|
| <b>Applicati n Number</b>                       | 10/089,928                  |                               |              |
|   | <b>Filing Date</b>          | April 4, 2002                 |              |
|   | <b>First Named Invent r</b> | Edward Burton                 |              |
|   | <b>Group Art Unit</b>       | N/A                           |              |
|   | <b>Examiner Name</b>        | Not Yet Assigned              |              |
| <b>Total Number of Pages in This Submission</b> |                             | <b>Attorney Docket Number</b> | HO-P02428US0 |

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form  | <input checked="" type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication<br>to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                       | <input type="checkbox"/> Petition to Convert to a Provisional<br>Application                          | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                       | <input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below)             |
| <input type="checkbox"/> Express Abandonment Request                                     | <input type="checkbox"/> Terminal Disclaimer  | Declaration   |
| <input type="checkbox"/> Information Disclosure Statement                                | <input type="checkbox"/> Request for Refund   | Recordation Coversheet  |
| <input type="checkbox"/> Certified Copy of Priority<br>Document(s)                       | <input type="checkbox"/> CD, Number of CD(s) _____  | Applicant Data Sheet  |
| <input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application | <b>Remarks</b>  | Copy of Notification of Missing<br>Requirements   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53          |   | Return Post Card  |
| Charge Deposit Account 06-2375 in the amount of \$40.00<br>(Recordation Fees)            |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|  |  |
|--|--|
| <b>Firm<br/>or<br/>Individual Name</b> | FULBRIGHT & JAWORSKI L.L.P.<br>Melissa W. Acosta |
| <b>Signature</b>                       |  |
| <b>Date</b>                            | August 27, 2002                                  |

## Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU110398085US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: August 27, 2002

Signature: (Staci Harris)

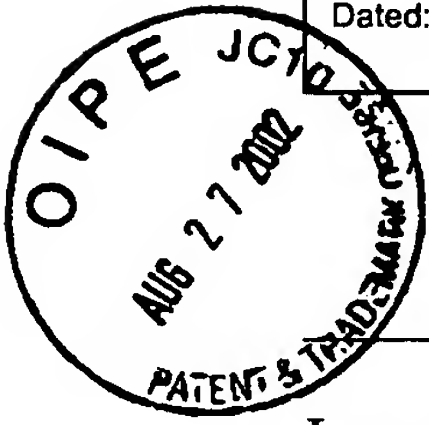
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU110398085US, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: August 27, 2002

Signature:

*Staci Harris*  
(Staci Harris)

Docket No.: HO-P02428US0  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Edward Burton, et al.

Application No.: 10/089,928

Group Art Unit: N/A

Filed: April 4, 2002

Examiner: Not Yet Assigned

For: UTROPHIN GENE PROMOTER

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

**Box Missing Parts**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notification of Missing Requirements mailed July 1, 2002, Applicant respectfully submits a Declaration, a Power of Attorney and Assignment and Recordation Coversheet.

The Commissioner is hereby authorized to charge the amount of \$40.00 to our Deposit Account 06-2375 for the fee set forth in 37 CFR 1.21(h). The Commissioner is hereby authorized to also charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10203887.

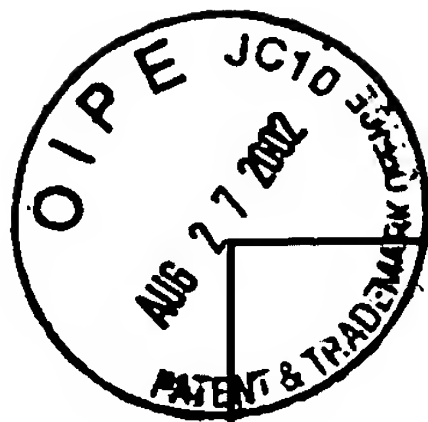
Dated: August 27, 2002

Respectfully submitted,

*Melissa W. Acosta*

By  
Melissa W. Acosta

Registration No.: 45,872  
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## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EU110398085US in an envelope addressed to:

Commissioner for Patents  
Washington, DC 20231

on August 27, 2002  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Staci Harris

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet